

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

JASON ADAM JENSEN,  
Plaintiff,

v.

CITIBANK, N.A., et al.,  
Defendants.

v.

SECRETARY OF STATE John R. Ashcroft,  
Crossclaim Defendant,  
DEPARTMENT OF INSURANCE AND  
COMMERCE,  
Crossclaim Defendant,  
State of MISSOURI,  
Counterclaim Defendant.

Case No. 6:22-CV-03140-BCW

Honorable Judge Wimes Presiding

**JENSEN’S THIRD COUNTERCLAIM AGAINST STATE OF MISSOURI, FIRST  
CROSSCLAIM AGAINST SECRETARY OF STATE OF MISSOURI JOHN R. ASHCROFT,  
MISSOURI DEPARTMENT OF COMMERCE AND INSURANCE**

COMESNOW, Plaintiff, Jason A Jensen (“JENSEN”) with additional Counterclaims under Fed. Rule Civ. P. 13(a)1 against MISSOURI and Crossclaims under Fed. Rule Civ. P. 13(g) against John R. Ashcroft (“SECRETARY OF MISSOURI”) and Department of Commerce and Insurance (“MISSOURI”). Additionally, these claims are brought by reference to 18 USC § 1501 which says “Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States, or United States magistrate judge; or”.

Since, according to Docket #41 Attachment #1 (hereafter the “REFUSAL NOTICE”), has the SEAL of MISSOURI, states action by the Governor Michael L. Parsons, and designates that the State has

determined that JENSEN has already made Secretary of State John R. Ashcroft a “defendant” in this “United States Bankruptcy [SIC] Western District Case [...]” no further service of process is needed since the Attorney General is in Appearance.

#### **FOREWORD AND CAUSE OF THIS THIRD COUNTERCLAIM AND CROSSCLAIM:**

Once again, JENSEN is combating wordsmith type banter in this Court to maintain his prosecution of this case. JENSEN prays for those not gifted in comprehension, reading, writing, and formulations of legal text, as is the purpose of the Americans with Disabilities Act, whereas this Court is the ultimate source of recourse to enforcement of said ACT.

#### **PARTIES:**

- I. State of Missouri, currently in appearance, represented by the Attorney General’s Office.
- II. John R Ashcroft, AS SECRETARY OF STATE, currently in appearance, represented by the Attorney General’s Office.
- III. DEPARTMENT OF INSURANCE AND COMMERCE, also currently in appearance, represented by the Attorney General’s Office.

#### **JURISDICTION:**

This Court has jurisdiction over these cross/counter claims under 28 USC § 1331 as a Federal Question of Law.

This Court has jurisdiction over these cross/counter claims under 28 U.S. Code § 1367 for Supplemental jurisdiction.

#### **FACTS AND SUMMARY:**

1. On or about June 30<sup>th</sup>, 2022, JENSEN filed an Amended Complaint (Dkt #5).

2. On or about November 9<sup>th</sup>, 2022, the “STATE OF MISSOURI” was noted as “Return of Service” as the SUMMONS listed the Defendant as “STATE OF MISSOURI ATTN: SECRETARY OF STATE JOHN R ASHCROFT” (Dkt #10).
3. MISSOURI Filed Motion to Dismiss on or about December 5<sup>th</sup>, 2022 through representation by the Attorney General’s Office (Dck #31,32).
4. On December 8<sup>th</sup>, 2022, JENSEN filed “SUGGESTIONS in opposition re 31 MOTION to dismiss case based on Avery v. Midland County, 390 U.S. 474, 475 (1968) whereas the actions of a political subdivision are the actions of the Sovereign State under the Fourteenth Amendment and the Commerce Clause”
5. On December 12<sup>th</sup>, 2022, MISSOURI as the Department of Insurance and Commerce created, drafted, and caused to be sent the REFUSAL NOTICE by United States Postal Mail.

**(COUNTER/CROSS)CLAIMS:**

**COUNT I**

*The State of MISSOURI though SECRETARY OF STATE does exceed the duties permitted upon the  
SECRETARY OF STATE.*

1. JENSEN reincorporates paragraphs 1-5 and the PREFACE and FOREWORD of this Document.
2. Art. IV, Sec. 14 of the Missouri Constitution does state:

Secretary of state—duties—state seal—official register—limitation on duties.—The secretary of state shall be custodian of the seal of the state, and authenticate therewith all official acts of the governor except the approval of laws. The seal shall be called the “Great Seal of the State of Missouri,” and its present emblems and devices shall not be subject to change. He shall keep a register of the official acts of the governor, attest them when necessary, and when required shall lay copies thereof, and of all

papers relative thereto, before either house of the general assembly. He shall be custodian of such records, and documents and perform such duties in relation thereto, and in relation to elections and corporations, as provided by law, **but no duty shall be imposed on him by law which is not related to his duties as prescribed in this constitution.**

3. SECRETARY OF STATE does accept Service of Process on behalf of others as an element of the Governor's Office.
4. This confusion and constitutionally vague and unlawful practice of the SECRETARY OF STATE caused JENSEN to misappropriate the SERVICE OF PROCESS for the STATE OF MISSOURI.
5. WHEREFORE: RELIEF SOUGHT: JENSEN prays the practice of the SECRETARY OF STATE accepting Service of Process for Others unconstitutionally unlawful and enjoins defendants by INJUNCTIVE RELIEF forbidding the unlawful acts.

## **COUNT II**

*MISSOURI and POLITICAL SUBDIVISIONS are refusing service of process in violation of 18 USC § 1501*

6. JENSEN reincorporates paragraphs 1-5 and the PREFACE and FOREWORD of this Document.
7. If SECRETARY OF STATE as MISSOURI is accepting SERVICE OF PROCESS unconstitutionally for others, then it cannot constitutionally narrow the scope of the Service of Process it does accept- so JENSEN ergo that the end result, the Attorney General's Office Representing MISSOURI in this case, provides sufficient service.

8. The return of the Summons and Petition is in conflict with “Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States, or United States magistrate judge; or” (18 USC § 1501).
9. WHEREFORE: RELIEF SOUGHT: Declaratory relief that Service of Process is perfected upon the State of MISSOURI (“MISERY”).

WHEREFORE:

JENSEN prays to the Judge of Natural Law that these Words Carry Weight.

JENSEN prays the words moved this Court to grant the relief sought in (Counter/Cross)Claims 1-2 respectfully.

This response having service requirements, and in forma pauperis status, if required, and order to serve this document.

Sincerely and Respectfully Submitted,

//s/JasonAJensen

Jason A Jensen

#### CERTIFICATE OF SERVICE

I, Jason A Jensen, did cause all defendants currently present and in appearance of this Court to be served electronically by the ECF/CM of the Federal Court, on this day the 18<sup>th</sup> of December 2022.

//s/JasonAJensen